

g



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,638	03/29/2001	Dan Martin Scott	108344.000111	5708

7590 10/02/2002

Steven W. Thrasher
Jackson Walker, LLP
2435 North Central Expressway, #600
Richardson, TX 75080

EXAMINER

AMINI, JAVID A

ART UNIT	PAPER NUMBER
2672	

2672

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

ll

Office Action Summary

Application No. 09/821,638	Applicant(s) SCOTT ET AL.	
Examiner Javid A Amiri	Art Unit 2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) 1-20 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) Interview Summary (PTO-413) Paper No(s). _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other:

Specification

1. The abstract and the title of the disclosure are objected to because are duplicated of abstract and title of a continuation U.S. application 09/537849. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by Eppler Us patent 6,084,989, November 15, 1996.

3. As per claim 1, Eppler discloses in (Col. 2, lines 6-12). A disclosed method that automatically determines line and pixel coordinates (longitude coordinate and a latitude coordinate) of landmarks in the digitized image (also can be a scanned map image) with sub pixel accuracy (the first map being a digital raster map, and the second map being a previously georeferenced map), as for “the first map being a digital raster map, and the second map being a previously georeferenced map”. The system and method use landmarks (can be shown by points on the map in reference to the same area on other map coordinates) in symbolic form, and in particular, perimeters of lakes and islands, derived from precise cartographic source materials, as for “receiving an entry identifying a second point pair point on the second map, the second point pair point having approximately the same location on the second map as the first point pair point has on the first map”; When assigning points on the two similar maps, it is very obvious that the coordinates and parameters are must have the same values, as for “assigning a point pair point on the first map a longitude coordinate and a latitude coordinate, the longitude coordinate and the latitude coordinate of the first point pair point being identical to a longitude point and a latitude point associated with a point pair point on the second map”. The current system is capable of displaying more than one image (raster/vector images) see Fig. 3. An entry

Art Unit: 2672

identifying a point on the first map will be the identical to a point on the second map, as for “the first map being substantially similar to the second map when displayed”.

4. As per claims 2 and 3, Eppler discloses in Fig. 3 a vector and digital raster maps, and also it can be called first, second, third and etc maps on the display, as for “the second map is a vector map and also can be a digital raster map”.

5. As per claim 4, Eppler discloses in (Col. 1, lines 43-53) that in the past, the position of a landmarks in a digitized images was automatically determined using reference images derived from previously acquired digitized images containing the landmark that were matched to the landmark (determined longitude and latitude coordinates according to the landmark, landmark can be a mountains, lake, desert, city and etc.) in the currently processed digitized image. As for “previously determined longitude and latitude”.

6. As per claims 5-7, Eppler discloses in (Col. 2, lines 28-39), and the georeferencing functions are linear transformation see equations in columns 7-13. And also it is inherent to display the results of a user’s requests that create a georeferencing function. As for “creates a georeferencing function” and “georeferencing function is a linear transformation”.

7. As per claims 8-10, Eppler discloses in Fig. 2 box numbers 26, 27 and 20 that contains the list of three (or more) point boundary vertices since Eppler using a model. See Fig. 4 box 42 for more referencing functions, as for “three-four point pairs to complete the georeferencing function”.

Art Unit: 2672

8. As per claims 11 and 12, Eppler discloses in Fig. 4, box 50 image matching algorithms to determine standard error. As for “pre determined standard error”.

9. As per claim 13, Eppler discloses in Fig. 4, box 44 that reading out the points of the second map that corresponds to the selected area in the first map. As for “selection of a point pair on the first map, and receiving a selection of a point pair on the second map”.

10. As per claim 14, Eppler discloses in (Col. 2, lines 6-12). A disclosed method that automatically determines line and pixel coordinates of landmarks in the digitized image (also can be a scanned map image) with sub pixel accuracy. The system and method use landmarks in symbolic form, and in particular, perimeters of lakes and islands, derived from precise cartographic source materials. The current system is capable of displaying more than one image (raster/vector images) see Fig. 3. Also refer to rejection of independent claim 1.

11. As per claims 15 and 16, Eppler discloses in (Col. 2, lines 28-39), and the georeferencing functions are linear transformation see equations in columns 7-13. And also it is inherent to display the results of a user’s requests, as for “creates a georeferencing function” and georeferencing function is a linear transformation”.

12. As per claims 17, Eppler discloses in Fig. 2 box numbers 26, 27 and 20 that contains the list of three (or more) point boundary vertices since Eppler using a model. See Fig. 4 box 42 for more referencing functions, as for “four point pairs to complete the georeferencing function”.

13. As per claim 18, Eppler discloses in Fig. 4, box 50 image matching algorithms to determine standard error, as for “pre determined standard error”.

14. As per claim 19, Eppler discloses in (Col. 2, lines 6-12). A disclosed method that automatically determines line and pixel coordinates of landmarks in the digitized image (also can be a scanned map image) with sub pixel accuracy. The system and method use landmarks in symbolic form, and in particular, perimeters of lakes and islands, derived from precise cartographic source materials. The current system is capable of displaying more than one image (raster/vector images) see Fig. 3. Also refer to rejection of independent claim 1.

15. As per claim 20, Eppler discloses in Fig. 2 box numbers 26, 27 and 20 that contains the list of three (or more) point boundary vertices since Eppler using a model. See Fig. 4 box 42 for more referencing functions. Also Eppler discloses in Fig. 4, box 50 image matching algorithms to determine standard error, as for “four point pairs to complete the georeferencing function”.

Double Patenting

16. Claims 14-20 objected to under 37 CFR 1.75 as being a substantial duplicate of claims 1-

13. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Art Unit: 2672

As for independent claim 1, "A method of georeferencing a raster map", that is so close in content with as for independent claim 14 and 20 respectively, "A method in a computer system for georeferencing a raster map" and "A computer readable medium whose contents enable the georeferencing of a raster map", that they cover the same thing.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-8705 for regular communications and 703-746-8705 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Javid Amini
September 26, 2002

+



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600